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E-filed 5/4/07

Attorney for Defendants Bioybernaut Institute
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Attorney for Plaintiff, Yessenia Gomez

UNITED STATES DISTRICT COURT
 FOR THE NORTHERN DISTRICT OF CALIFORNIA
 SAN JOSE DIVISION

YESSANIA GOMEZ ,
 Plaintiff,
 v.
**BIOCYBERNAUT INSTITUTE OF
 CALIFORNIA, L.L.C, JAMES V. HARDT,
 and DOES 1-10,**
 Defendants.
**BIOCYBERNAUT INSTITUTE OF
 CALIFORNIA, L.L.C.**
 Counter-Plaintiff,
 v.
YESSANIA GOMEZ,
 Counter-Defendant.

Case No. C06-07777-HRL
 STIPULATION AND ~~PROPOSED~~
 ORDER TO CONTINUE CASE
 MANAGEMENT CONFERENCE
 AND ALLOW DEFENDANTS'
 APPEARANCE BY TELEPHONE

Counsel report that they have met and conferred regarding this request and have reached
 the following stipulation pursuant to Civil L.R. 6-2 and 7-12:

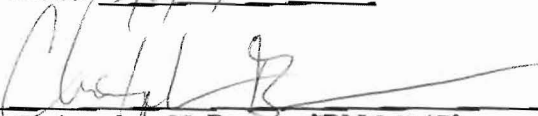
STIPULATED AND ~~PROPOSED~~ ORDER TO CONTINUE CASE
 MANAGEMENT CONFERENCE AND ALLOW DEFENDANTS'
 APPEARANCE BY TELEPHONE

The Parties request the Court to continue the Case Management Conference ("CMC") scheduled for May 15, 2007, for two weeks to May 29, 2007, or such later date as is available to the Court and that all related deadlines in the Court's Order Setting Initial Case Management Conference and ADR Deadlines be adjusted accordingly. The Parties also request the Court to allow Defendants' counsel to participate in the Case Management Conference by telephone.

This stipulation is supported by the Declaration of Christopher W. Brown filed herewith.

Dated: 5/2/07

Dated: 


Christopher W. Brown, SBN 243472
Attorney for Attorney for
Defendants/ Counter-Plaintiff Bioybernaut
Institute of California, LLC,
and Defendant Dr. James Hardt


James Dal Bon, SBN
Attorney for Plaintiff, Yessenia Gomez

[PROPOSED] ORDER

Pursuant to the Stipulation above, the Initial Case Management Conference set for May 15, 2007 is continued to May 29, 2007, 1:30pm in Courtroom 2. All related deadlines in the court's Order Setting Initial Case Management Conference and ADR Deadlines are adjusted accordingly. Defendants' counsel may appear at the Case Management Conference by telephone. Call 408-535-5365 to arrange telephonic appearance.

IT IS SO ORDERED.

DATED this 3 day of May, 2007.


HOWARD R. LLOYD
UNITED STATES MAGISTRATE JUDGE

STIPULATED AND [PROPOSED] ORDER TO CONTINUE CASE
MANAGEMENT CONFERENCE AND ALLOW DEFENDANTS'
APPEARANCE BY TELEPHONE

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CERTIFICATE OF SERVICE

I hereby certify that on the date set forth below, I served a true copy of the foregoing
**STIPULATION AND [PROPOSED] ORDER TO CONTINUE CASE MANAGEMENT
CONFERENCE AND ALLOW DEFENDANTS' TO APPEARANCE BY TELEPHONE**
on the individuals listed below:

James Dal Bon, Esq.
Dal Bon & Wang
12 South First Street, Suite 613
San Jose, CA 95113
Fax: (408) 292-1045

Attorney for Plaintiff


☒ by **mailing** a full, true, and correct copy thereof in a sealed first-class postage-prepaid envelope, addressed to the attorney as shown above, the last-known office address of the attorney, and deposited with the United States Postal Service at Portland, Oregon, on the date set forth below.

☐ by causing a full, true, and correct copy thereof to be **hand-delivered** to the attorney at the attorney's last-known office address listed above on the date set forth below.

☐ by sending a full, true, and correct copy thereof via **overnight courier** in a sealed, prepaid envelope, addressed to the attorney as shown above, the last-known office address of the attorney, on the date set forth below.

☐ by **faxing** a full, true, and correct copy thereof to the attorney at the fax number shown above, which is the last-known fax number for the attorney's office, on the date set forth below. The receiving fax machine was operating at the time of service and the transmission was properly completed.

DATED this 2nd day of May, 2007.


Angela McKamey, Paralegal